

Approved as Written: May 15, 2002

**CITY OF MORGAN HILL
JOINT SPECIAL CITY COUNCIL AND
SPECIAL REDEVELOPMENT AGENCY MEETING
MINUTES MAY 8, 2002**

CALL TO ORDER

Mayor/Chairperson Kennedy called the meeting to order at 6:00 p.m.

ROLL CALL ATTENDANCE

Present: Council/Agency Members Carr, Tate, Sellers and Mayor/Chairman Kennedy
Council Member Chang was available via teleconference for closed session item only.

DECLARATION OF POSTING OF AGENDA

City Clerk/Agency Secretary Torrez certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2

OTHER BUSINESS:

1. ARCHITECTURAL & SITE REVIEW BOARD (ARB) AND PLANNING COMMISSION INTERVIEWS/APPOINTMENTS

Council Services and Records Manager Torrez presented the staff report. She recommended that the City Council interview Yarmila Kennett for the Architectural and Site Review Board vacancy followed by the interviews of the Planning Commission applicants. She informed the City Council that applicant Jeff Bernardini requested to be interviewed last as he had a prior commitment.

Mayor Kennedy informed the applicants as to the interview process that would be undertaken this evening.

Architectural and Site Review Board (ARB)

The City Council interviewed applicant Yarmila Kennett.

Mayor Kennedy stated that he would reappoint Yarmila Kennett to a two-year term on the ARB.

Action: *On a motion by Council Member Sellers and seconded by Council Member Tate, the City Council, on a 4-0 vote with Council Member Chang absent, **ratified** the Mayor's re-appointment of Yarmila Kennett to a two-year term ending March 1, 2004.*

Planning Commission

The City Council interviewed Jeff Bernardini, Bob Engles, Bob Escobar, and Bob Graham to fill two unexpired terms on the Planning Commission.

Council Member Tate recommended that the applicants be asked if they would be interested in serving on the ARB or other City boards or commissions.

Council Services and Records Manager Torrez indicated that vacancies exist on the Mobile Home Rent Commission, Bicycle and Trails Advisory Committee, Measure P Update Committee and the ARB.

Mayor Kennedy stated that all candidates would serve the City well as Planning Commissioners. However, there were only two seats to fill. He noted that there were several boards, commissions, and committees with openings that need to be filled and that each of these applicants would add value to them. He inquired whether any of these four applicants would consider serving the City in another capacity?

Messrs. Bernardini, Engles and Escobar stated that their preference in being appointed to the Planning Commission. Mr. Graham indicated his preference in serving on the Planning Commission but that he would consider the Measure P Update Committee.

The City Council completed a ballot, ranking the candidates 1 through 4.

Mayor Kennedy stated that he would appoint Mr. Engles and Mr. Escobar based on the ranking of the candidates.

Action: *On a motion by Council Member Tate and seconded by Council Member Sellers, the City Council, on a 4-0 vote with Council Member Chang absent, **confirmed** the Mayor's appointment of Mr. Engles and Mr. Escobar to fill two unexpired terms ending June 30, 2003.*

2. APPOINT CITY COUNCIL SUBCOMMITTEE TO INTERVIEW MOBILE HOME RENT COMMISSION APPLICANTS

City Attorney Leichter addressed the charge of the Mobile Home Rent Commission.

Mayor Kennedy noted that there are three vacancies on the Mobile Home Rent Commission and recommended that the applicants be appointed to fill the vacancies.

Council Member Sellers noted that the Council established a subcommittee interview process for certain boards, commission and committees. He recommended that this process be followed.

Mayor Kennedy stated that it would be his intent to appoint Council Member Chang and himself to serve on the Council subcommittee to interview to fill vacancies on the Mobile Home Rent Commission.

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Carr, the City Council, on a 4-0 vote with Council Member Chang absent, **agreed** to appoint Mayor Kennedy and Council Member Chang to serve on the subcommittee to interview applicants for the Mobile Home Rent Commission*

City Council Action and Redevelopment Agency Action

CLOSED SESSION:

City Attorney/Agency Counsel Leichter announced the closed session, noting a clerical error in the Case Number as follow: Ninth Circuit Court of Appeal, No.02-15693.

1.

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority:	Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)
Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Cochrane Road (St. Louise Hospital property)
City Negotiators:	Agency Members; Executive Director; Agency Counsel; F. Gale Conner, special counsel; Rutan & Tucker, special counsel
Case Name:	San Jose Christian College v. City of Morgan Hill
Case Numbers:	USDC Northern California No. C01-20857-RMW
Closed Session Topic:	Potential Existing Litigation/Real Estate Negotiations

OPPORTUNITY FOR PUBLIC COMMENT

Council/Agency Member Chang participated in the closed session discussion via teleconference from 838 South Grand Avenue, Los Angeles, CA.

Mayor/Chairman Kennedy opened the closed session to public comment. Council/Agency Member Chang inquired if there was anyone at the 838 South Grand Avenue, Los Angeles, California location wishing to address the Council/Agency Commission on the closed session. No comments were offered.

ADJOURN TO CLOSED SESSION

Mayor/Chairman Kennedy adjourned the meeting to closed session at 7:22 p.m.

RECONVENE

Mayor/Chairman Kennedy reconvened the meeting at 8:17 p.m.

CLOSED SESSION ANNOUNCEMENT

Mayor/Chairman Kennedy announced that no reportable action was taken on the closed session item.

ADJOURNMENT

There being no further business, Mayor/Chairman Kennedy adjourned the meeting at 8:18 p.m.

MINUTES RECORDED AND PREPARED BY

IRMA TORREZ, City Clerk/Agency Secretary